IN THE CLAIMS

Please amend the claims as follows:

1-54. (Cancelled.)

55. (Currently Amended) A method for transmitting content in a communications network ~~between a source node and a destination node~~, the method comprising:

(A) configuring a table to cause content ~~intended for transmission~~ to be routed over ~~from~~ [[the]] ~~source node to the destination node to be routed from the source node to~~ a first path in said communications network;

(B) analyzing ~~a cost associated with transmitting content from the source node to the first network with respect to a threshold cost, wherein the threshold cost is based at least in part on~~ whether a specified amount of time has elapsed relative to the transmission of content ~~from the source node to~~ via the first path ~~network~~; and

(C) based at least in part on the analyzing step (B), modifying the table to cause content ~~intended for transmission from the source node to the destination node~~ to be routed ~~from the source node to~~ over a second path in said communications network ~~based on analysis of the cost against the threshold cost~~.

56. (Currently Amended) A method as recited in claim 55, wherein the first path ~~network~~ is an overlay forwarding path ~~network~~.

57. (Currently Amended) A method as recited in claim 55, wherein the modifying step (C) is performed if ~~the cost exceeds the threshold cost~~ the specified amount of time has elapsed since the transmission of content began on the first path.

58. (Currently Amended) A method as recited in claim 55, wherein the modifying step (C) comprises: designating a neighboring node in the second path ~~network~~ as a next hop.

59. (Currently Amended) A node in a communications network, the node comprising:

a first port operable to receive content destined for a destination node in the communications network;

one or more output ports operable to transmit content to at least a first path in said communications network and [[to]] a second path in said communications network; and

a table configurable to cause content received at the first port to be selectively transmitted from the one or more output ports to either the first path ~~network~~ or the second path ~~network~~ in response to instructions derived from an analysis of an amount of elapsed time during which the table has been configured such that content has been transmitted from the one or more output ports to a current path ~~to the first network~~.

60. (Currently Amended) A node as recited in claim 59, wherein the analysis involves comparing the amount of elapsed time against a threshold amount of time.

61. (Currently Amended) A node as recited in claim 60, wherein <u>the current path comprises the first path and,</u> wherein the table is modified to cause content ~~intended for transmission from the source node to the destination node~~ to be routed from the one or more output ports to the second <u>path</u> ~~network~~ if the ~~cost~~ <u>amount of elapsed time</u> exceeds the threshold ~~cost~~ <u>amount of time</u>.

62. (Currently Amended) A node as recited in claim 61, wherein the first <u>path</u> ~~network~~ is an overlay <u>forwarding path</u> ~~network~~.

63. (Currently Amended) A node as recited in claim 59, wherein <u>the current path comprises the first path and, wherein</u> the table is operable to be modified to designate a neighboring node in the second <u>path</u> ~~network~~ as a next hop.

64. (Currently Amended) A method for transmitting content in a communications network, wherein a table entry is configured to cause content ~~received at a source node and destined for a destination node~~ to be transmitted ~~from the source node to~~ <u>via a</u> first <u>path</u> <u>in said communications</u> network ~~en route to the destination node~~, the method comprising:

<u>(A)</u>　　comparing an elapsed time associated with transmitting content ~~from the source node to~~ <u>via</u> the first <u>path</u> ~~network~~ with a threshold amount of time; and

<u>(B)</u>　　modifying the table to cause content to be transmitted ~~from the source node to~~ <u>via</u> a second <u>path</u> <u>in said communications</u> network as a result of the comparing step <u>(A) when the elapsed time associated with transmitting content via the first path exceeds the threshold amount of time</u>.

65. (Currently Amended) A method for transmitting content in a communications network ~~between a source node and a destination node~~, the method comprising:

(A)   configuring a table to cause content ~~intended for transmission from the source node to the destination node to~~ be routed ~~from the source node~~ to a first path in said communications network;

(B)   analyzing an elapsed time ~~cost~~ associated with transmitting content ~~from the source node to~~ via the first path ~~network~~ against a threshold amount of time ~~cost~~;

(C)   modifying the table to cause content ~~intended for transmission from the source node to the destination node~~ to be routed ~~from the source node~~ to a second path in said communications network based on analysis of the elapsed time ~~cost~~ against the threshold amount of time ~~cost~~;

(D)   ~~in response~~ subsequent to the modifying step (C), analyzing a ~~second~~ cost associated with transmitting content ~~from the source node to the~~ via the second path ~~network~~ against a ~~second~~ threshold cost;

(E)   modifying the table to cause content ~~intended for transmission from the source node to the destination node~~ to be routed ~~from the source node~~ to ~~the first~~ a path distinct from said second path ~~network~~ based on analysis of the ~~second~~ cost against the ~~second~~ threshold cost.

66. (Currently Amended) A method as recited in claim 65, wherein the ~~second~~ threshold cost is based at least in part on a maximum elapsed time ~~whether a specified amount of time has elapsed relative to the transmission of content from the source node to the second network~~.

- 6 -

67. (Currently Amended) A method as recited in claim 65, wherein the threshold cost is based <u>at least in part</u> on a delay metric.

68. (Currently Amended) A method as recited in claim 65, wherein the threshold cost is based <u>at least in part</u> on a performance metric.

69-72. (Canceled)

73. (New) A method as recited in claim 55, wherein the communications network comprises the Internet and wherein communication among nodes on the first path uses an Internet protocol, and communication among nodes on the second path uses at least the Internet protocol.

74. (New) A node as recited in claim 59, wherein the communications network comprises the Internet and wherein communication among nodes on the first path uses an Internet protocol, and communication among nodes on the second path uses at least the Internet protocol.

75. (New) A method as recited in claim 64, wherein the communications network comprises the Internet and wherein communication among nodes on the first path uses an Internet protocol, and communication among nodes on the second path uses at least the Internet protocol.

76. (New) A method as recited in claim 65, wherein the communications network comprises the Internet and wherein communication among nodes on the

first path uses an Internet protocol, and communication among nodes on the second path uses at least the Internet protocol.

77. (New) A method as recited in claim 55, wherein a first network comprises the first path and a second network comprises the second path.

78. (New) A node as recited in claim 59, wherein a first network comprises the first path and a second network comprises the second path.

79. (New) A method as recited in claim 64, wherein a first network comprises the first path and a second network comprises the second path.

80. (New) A method as recited in claim 65, wherein a first network comprises the first path and a second network comprises the second path.

81. (New) A method for transmitting content in a communications network, the method comprising:

(A)   configuring a table to cause content to be routed via a first path in said communications network, said first path having been determined based at least in part on a first cost associated with transmitting content via the first path; and

(B)   based at least in part on how much time has elapsed since said configuring in step (A), modifying the table to cause content to be routed via a second path in said communications network, said second path having been

determined based at least in part on a second cost associated with transmitting content via the second path.

82. (New) A method as recited in claim 81, wherein the second path is selected based at least in part on the then-current state of the network.

83. (New) A method as recited in claim 81, wherein the first path comprises at least one overlay node.

84. (New) A method as recited in claim 81, wherein the second path comprises at least one overlay node.

85. (New) A method for transmitting content in a communications network, the method comprising:

(A)   configuring a table to cause content to be routed to a first node, a first network comprising said first node; and then, after a specified amount of time has passed since said configuring,

(B)   modifying the table to cause content to be routed to a second node, a second network comprising said second node, and said second node being distinct from the first node,

wherein the communications network comprises the Internet and wherein communication among nodes on the first network uses an Internet protocol, and communication among nodes on the second network uses at least the Internet protocol.

86. (New) A method as recited in claim 85, wherein a first overlay path comprises the first node and wherein a second overlay path comprises the second node.